

EXHIBIT 1

EEOC Form 5 (6/01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐

FEPA

☒

EEOC

210-2005-03781

Illinois Department Of Human Rights

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Ms. Kathryn M. Lakeberg

Home Phone No. (Ind. Area Code)

(630) 960-9489

Date of Birth

04-09-1958

Street Address

City, State and ZIP Code

4909 Cross Street Downers Grove, IL 60515

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

UNITED PARCEL SERVICE

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(630) 628-2116

Street Address

City, State and ZIP Code

150 Lombard Road, Addison, IL 60101

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐

RACE

☐

COLOR

☒

SEX

☐

RELIGION

☐

NATIONAL ORIGIN

☐

RETALIATION

☐

AGE

☐

DISABILITY

☐

OTHER (Specify below.)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

05-30-2004**03-07-2005**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I was employed by Respondent since April, 1989. My most recent position was Package Car Driver. For the last couple of years, I have been subjected to different terms and conditions of employment than male employees, in that I was suspended on or about June 8, 2004, for misdeliveries while male drivers with multiple misdeliveries have not been suspended; a male driver who does a split-off with my route is allowed to pick the packages he will deliver; on February 22, 2005 I was questioned about punching out after an 8-hour day while two males who punched out before me after 8 hours were not questioned; and I was terminated on March 7, 2005 for customer complaints while several male drivers with numerous customer complaints against them remain employed.

I believe, I have been discriminated against because of my sex, female, in violation of Title VII of the Civil Rights Act of 1964, as amended.

RECEIVED EEOC

CHICAGO DISTRICT OFFICE

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary, State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, year)

Mar 25, 2005

Date

Kathryn M. Lakeberg

Charging Party Signature

Equal Employment Opportunity Commission

DISMISSAL AND NOTICE OF RIGHTS

To: Kathryn M. Lakeberg
4909 Cross Street
Downers Grove, Illinois 60515

7001 1940 0003 8829 2336

From: Chicago District Office
Equal Employment Opportunity Commission
500 West Madison Street, Suite 2800
Chicago, Illinois 60661-2511

☐ On behalf of a person aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.
210-2005-03781

EEOC Representative
Andrew Daley, Investigator

Telephone No.
(312) 886-7495

(See the additional information attached to this form.)

YOUR CHARGE IS DISMISSED FOR THE FOLLOWING REASON:

- ☐ The facts you allege fail to state a claim under any of the statutes enforced by the Commission.
- ☐ Respondent employs less than the required number of employees.
- ☐ Your charge was not timely filed with the Commission, i.e., you waited too long after the date(s) of the discrimination you alleged to file your charge. Because it was filed outside the time limit prescribed by law, the Commission cannot investigate your allegations.
- ☐ You failed to provide requested information, failed or refused to appear or to be available for necessary interviews/conferences, or otherwise refused to cooperate to the extent that the Commission has been unable to resolve your charge. You have had more than 30 days in which to respond to our final written request.
- ☐ The Commission has made reasonable efforts to locate you and has been unable to do so. You have had at least 30 days in which to respond to a notice sent to your last known address.
- ☐ The respondent has made a reasonable settlement offer which affords full relief for the harm you alleged. At least 30 days have expired since you received actual notice of this settlement offer.
- ☒ The Commission issues the following determination: Based upon the Commission's investigation, the Commission is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ Other (briefly state) _____

- NOTICE OF SUIT RIGHTS -

- ☒ **Title VII and/or the Americans with Disabilities Act:** This is your NOTICE OF RIGHT TO SUE, which terminates the Commission's processing of your charge. If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in U.S. District Court. If you decide to sue, you must sue WITHIN 90 DAYS from your receipt of this Notice; otherwise your right to sue is lost.
- ☐ **Age discrimination in Employment Act:** This is your NOTICE OF DISMISSAL OR TERMINATION, which terminates processing of your charge. If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in U.S. District Court. If you decide to sue, you must sue WITHIN 90 DAYS from your receipt of this Notice; otherwise your right to sue is lost.
- ☐ **Equal Pay Act (EPA):** EPA suits must be brought within 2 years (3 years for willful violations) of the alleged EPA underpayment.

June 14, 2005

On behalf of the Commission
John P. Rowc
John P. Rowc, District Director

Enclosures

Information Sheet
Copy of Charge

cc: Respondent(s) United Parcel Service